



RESPONSIBLE BEVERAGE SALES AND SERVICE (RBSS) Responses to Common Questions

June 2016

This Frequently Asked Questions (FAQ) sheet provides responses to the more common questions related to Encinitas Municipal Code (E.M.C.) Section 9.43 Alcoholic Beverages - Responsible Beverage Service and Sales (RBSS) training.

DOES RBSS PERTAIN TO MY BUSINESS?

In Encinitas, RBSS pertains to any "Alcohol Outlet." An "Alcohol Outlet" means any physical location or structure from which any alcoholic beverage may be sold, delivered, or served at retail pursuant to a license granted by the ABC. This includes, but is not limited to, bars and restaurants.

WHICH OF MY EMPLOYEES REQUIRE TRAINING?

Per E.M.C. 9.43.010 "any person who, as part of his or her employment, sells, serves or delivers any alcoholic beverage" must have valid, current RBSS certification. This includes the licensee (named on the ABC license) or owner, as well as any managers.

WHERE IS THE TRAINING OFFERED?

Refer to the City of Encinitas RBSS website @ <http://www.encinitasca.gov/index.aspx?page=527>. There are links to websites indicating available training throughout San Diego County. Also check the ABC website at <http://www.abc.ca.gov/programs/Approved%20RBS%20Training%20Providers%20with%20Disclaimer.pdf> for other fee-based trainings.

HOW DO I KNOW IF A SPECIFIC TRAINING CLASS IS APPROVED?

It is highly recommended that servers attend the free trainings regularly scheduled through the ABC Alcohol Seller/Server Training Program (known as L.E.A.D. training). If these trainings are booked or staff is unable to attend, fee-based training courses in the area may be found at <http://www.abc.ca.gov/programs/RBS.html>.

HOW MUCH TIME DO I HAVE TO GET MY EMPLOYEES TRAINED?

Ninety days from the start of serving alcohol.

HOW OFTEN DO EMPLOYEES NEED TO BE TRAINED?

In Encinitas, per E.M.C. 9.43.020.C, "certification received from an RBSS training program will be considered valid for a period of two years from the date of certification."

HOW DO I TRACK MY EMPLOYEES' TRAINING?

Licensees are required to maintain, on the premises, a file of proof of completion for all affected employees, including a training certificate. Encinitas provides a form on its website, <http://www.encinitasca.gov/modules/showdocument.aspx?documentid=7843> with all of the information necessary to comply with the ordinance.

WHAT ARE THE CONSEQUENCES FOR NON-COMPLIANCE?

A violation of any provision of E.M.C. 9.43 may be punishable in accordance with the provisions of E.M.C. Section 1.08.050, Section 1.08.060 and Section 1.08.070. The current fine for a first-time penalty is \$100. This penalty may be assessed to both the employee and employer.

MY EMPLOYEES ALREADY RECEIVE CORPORATE TRAINING RELATED TO ALCOHOL SALES. DOES THIS SATISFY THE CITY'S RBSS TRAINING REQUIREMENTS?

In most cases, corporate training for responsible alcohol sales will satisfy the RBSS training requirement. The curriculum needs to be similar to that of the LEAD training in that it covers state laws related to ABC service. The training also needs to be documented in employee personnel files and each employee must receive a certificate of completion.

For additional information, please contact Joan Kling, Code Enforcement Manager at 760/633-2687 or via email at jkling@encinitasca.gov.

